


8-37 Requiring Corrective Action for Releases of Petroleum from Underground Storage Tanks (Subtitle I) (1200 TN 350 8-37)

1. **AUTHORITY.** To take all necessary actions under Subtitle I of the Solid Waste Disposal Act (SWDA), as amended, to require the owner or operator of a petroleum underground storage tank (UST) to undertake corrective action.
2. **TO WHOM DELEGATED.** Director, Land and Chemicals Division (LCD); and the director, Office of Enforcement, Compliance and Environmental Justice (OECEJ).
3. **LIMITATIONS.**
 - a. Before the delegatee exercises the authority in paragraph 1, he/she must consult with the regional counsel.
 - c. Before the delegatee exercises the authority in paragraph 1, he/she must notify the AA for OECA.
 - d. The RA, the AA for OLEM or the AA for OECA must notify the director of the state agency designated by the governor to implement the UST Program upon exercising the authority under paragraph 1.
 - e. The director OECEJ may exercise these authorities only in multi-media cases.
 - f. The director OECEJ must consult with LCD before exercising these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the associate director level, and no further. This authority may not be redelegated without formal amendment.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. See Delegation 8-26 (Administrative Enforcement).
 - b. See Delegation 8-33 (Selection and Performance of Federal Corrective Actions and Leaking Underground Storage Tanks).
 - c. RCRA section 9003(h) and 9006(a).
6. **SUPERSESSION.** Delegations Manual, SWDA, Regional Delegation 8-37. Requiring Corrective Action for Release of Petroleum from Underground Storage Tanks (Subtitle I), 1200 TN RIII-147, (August 26, 2002).

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